



Image

1636

PATENT
ATTORNEY DOCKET NO. CIT1390-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiroaki Shizuya Art Unit: 1636
Application No.: 09/896,509 Examiner: M. Marvich
Filed: June 28, 2001 Conf. No.: 8122
Title: METHODS FOR IDENTIFYING AN ESSENTIAL GENE IN A
PROKARYOTIC MICROORGANISM

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application please find:

1. Response to the Office Action mailed November 13, 2003 (16 pages); and
2. Return Receipt Postcard.

| CERTIFICATION UNDER 37 CFR §1.8 | |
|--|--|
| I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, February 9, 2004, in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| <u>Gregory P. Austin</u> (Name of Person Mailing Paper) | |
| <u>Gregory P. Austin</u> (Signature) February 9, 2004 (Date) | |

In re Application of:
Hiroaki Shizuya
Application No.: 09/896,509
Filed: June 28, 2001
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PATENT
Attorney Docket No.: CIT1390-1

Applicant claims **SMALL ENTITY status** in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The Fee for this Response is calculated as follows:

| For | Claims Remaining After Amendment | Highest Number Previously Paid For | Extra Claims | Small Entity Rate | Large Entity Rate | Calculations |
|--------------------|----------------------------------|------------------------------------|--------------|-------------------|-------------------|---------------|
| Total Claims | 55 | 55 | 0 | x \$09 | x \$18 | \$.00 |
| Independent Claims | 3 | 3 | 0 | x \$43 | x \$86 | \$.00 |
| Multiple Claims | - | - | | \$145 | \$290 | \$.00 |
| Basic Filing Fee | | | | \$385 | \$770 | \$.00 |
| | | | | | TOTAL FEE | \$.00 |

No fee is deemed necessary in connection with the filing of this paper. However, if a fee is required, the Commissioner is hereby authorized to charge any required fees associated with the filing submitted herewith, or credit any overpayments, to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: February 9, 2004

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RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action mailed herein on November 13, 2003, please consider the following amendments and remarks:

Amendments to the Specification begin on page two of this paper.

Amendments to the claims are reflected in the listing of claims which begins on page three of this paper.

Remarks/Arguments begin on page thirteen of this paper.

| | |
|--|----------------------------|
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| <u>Gregory P. Austin</u> (Name of Person Mailing Paper) | |
| <u>Gregory P. Austin</u> (Signature) | February 9, 2004 (Date) |